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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DONALD PRESTON,

Plaintiff,

v.

APPOLLO,

Defendant.

Case No.: 2:14-cv-00055-JAD-PAL

**REPORT OF FINDINGS AND
RECOMMENDATION FOR
DEFAULT JUDGMENT**

1 Pending before the Court is Plaintiff's Application for Entry of Default
2 Judgment. Plaintiff submitted an application for entry of default against Defendant
3 APPOLLO, ("Defendant") on May 1, 2014. [Docket No. 6]. The Clerk of Court
4 entered default against Defendant on May 2, 2014. [Docket No. 7]. After entry of a
5 default, a court may grant a default judgment on the merits of the case. Fed. R. Civ.
6 P. 55(b).
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9 On February 16, 2015, Plaintiff filed a motion for default judgment seeking
10 \$1,000.00 in statutory damages, \$1,775.00 in attorney's fees and \$500.00 in costs
11 for violations of the Fair Debt Collection Practices Act ("FDCPA"). Based on the
12 declaration of Plaintiff and counsel supporting the facts alleged in this matter, the
13 full \$1,000 in statutory damages to be awarded to Plaintiff is reasonable.
14

15 The Plaintiff's counsel seeks an hourly rate of \$250.00, and given the
16 Plaintiff's counsel's training, experience, and skill level, the Court concludes that
17 the hourly rate charged is reasonable and consistent with the prevailing market rate
18 in the area for lawyers of his skill level.
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20 Further, the amount of time spend prosecuting this matter, 7.1 hours, is
21 reasonable.
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24 **IT IS RECOMMENDED** that Plaintiff's Motion for Entry of Default
25 Judgment [Docket No. 9] is GRANTED and Plaintiff is awarded his full
26 statutory damages of \$1,000.

27 **IT IS FURTHER RECOMMENDED** that the Clerk of Court be directed to
28 enter default judgment against Defendant Appollo.

1 **IT IS FURTHER RECOMMENDED** that Plaintiff's counsel is awarded
2 attorney's fees in the amount of \$1,775.00 and costs in the amount of
3 \$500.00.

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6 Dated this 3rd day of April, 2015.

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8 PEGGY A. LEEN
9 UNITED STATES MAGISTRATE JUDGE
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